



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,164	01/16/2001	Carl Wong	024938-123	7612

7590

03/19/2003

THELEN REID & LLP  
P.O. BOX 640640  
SAN JOSE, CA 95164-0640

EXAMINER

ELAMIN, ABDELMONIEM I

ART UNIT	PAPER NUMBER
----------	--------------

2182

DATE MAILED: 03/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
**09/764,164**

Applicant(s)  
**Burnaby**

Examiner  
**Abdelmoniem Elamin**

Art Unit  
**2182**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jan 16, 2001
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5 6) ☐ Other:

Art Unit: 2182

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's

Admitted Prior Art (*AAPA*) in view of McCoy et al, US. Pat. No. 5,790,958.

3. Claims 1-4, 7-19, 22-26, 28-31, *AAPA* teaches an interface for interfacing a wireless modem with a host, the interface includes a first logical device to provide communication between the wireless modem and the host [*see the specification of the instant application, Figs. 1A and 1B, also pages 1-3*].

*AAPA* fails to teach the interface includes a second logical device to provide real time status information of the wireless modem to the host during operations.

McCoy teaches a microcontroller in communication with a host computer via a status port having corresponding signal lines and a data port having corresponding data lines. The status signal lines serve to identify the current transfer operation performed by the micro controller [*Figs 3 and 8, col. 6, lines 20-43*].

Art Unit: 2182

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of *AAPA* and McCoy, because it provides the host with the current status information of the wireless modem [col. 6, lines 29-43].

4. Claims 5 and 27, it is well known in the art to have the wireless modem being a PCMCIA card.

5. Claims 6, 20-21, 32 and 33, it is a matter of design choice to have the logical devices being configured using FPGA.

### **Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelmoniem I. Elamin whose telephone number is (703) 305-3804. The examiner can normally be reached Monday through Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (703)308-3301.

Any inquiry of a general nature relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and trademarks

*Application/Control Number: 09/764,164*

*Page 4*

*Art Unit: 2182*

*Washington, D.C. 20231*

*Or faxed to:*

*(703) 746-7239 (Official)*

*(703) 746-7240 (Non-Official/Draft)*

*(703) 746-7238 (After-final)*

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA,  
Forth Floor (receptionist).*

*Respectively submitted*

  
*Abdelmoniem Elamin*

*March 15, 2003*